

## Stark County Planning and Zoning Commission Minutes

May 31, 2018  
3:00 PM

Chairman Russ Hoff called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Russ Hoff, Jay Elkin, Scott Decker, Duane Grundhauser, Sue Larsen were present, and absent were Kurt Froelich, Daneen Dressler, Byron Richard, Klayton Oltmanns. Also present were County Planner Steve Josephson, States Attorney Tom Henning and Nicole Roberts of the Auditor's office.

Jay Elkin moved to approve the minutes from the April 26, 2018 meeting. Duane Grundhauser seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from **Brad Hartigan**. The request is for a zoning change from Agriculture to Rural Residential on a property located at 4350 117<sup>th</sup> Avenue SW in the NW ¼ of Section 10, Township 138, Range 97 containing approximately 40 acres.

Chairman Hoff asked anyone to speak either for or against the zoning change for Brad Hartigan. Chairman Hoff closed the public hearing.

Jeff Kuhn voiced his concerns on zoning enforcement in the area. Margaret Scholz voiced her concerns on the total land area.

Chairman Hoff closed the public hearing

Scott Decker moved to recommend to the Stark County Board of Commissioners the approval for the zoning change from Agriculture to Rural Residential on a property located at 4350 117<sup>th</sup> Avenue SW in the NW ¼ of Section 10, Township 138, Range 97 containing approximately 40 acres following staff recommendations for Brad Hartigan.

Sue Larsen seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed rezoning based upon the following finding:

- The proposed rezoning is consistent with the development pattern in the vicinity.

The request is consistent with the following objectives of the Stark County Comprehensive Plan:

- LAND USE-Strive to protect the agricultural integrity of rural areas; and
- LAND USE-Avoid conflicts between land uses.

Chairman Hoff opened the public hearing on a request from **Jessica Anderson-Fricks and Jason Morrell**. The request is for a zoning change from Agriculture to the Rural Residential zoning district on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres.

Chairman Hoff asked anyone to speak either for or against the zoning change for Jessica Anderson-Fricks and Jason Morrell. Chairman Hoff closed the public hearing.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval for the zoning change from Agriculture to the Rural Residential zoning district on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres following staff recommendations for Jessica Anderson-Fricks and Jason Morrell.

Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed rezoning based upon the following finding:

- The proposed rezoning is consistent with the development pattern in the vicinity.

The request is consistent with the following objectives of the Stark County Comprehensive Plan:

- LAND USE-Strive to protect the agricultural integrity of rural areas; and
- LAND USE-Avoid conflicts between land uses.

Chairman Hoff opened the public hearing on a request from **Jessica Anderson-Fricks and Jason Morrell**. The request is for a conditional use permit for a kennel on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres.

Chairman Hoff asked anyone to speak either for or against the conditional use permit for Jessica Anderson-Fricks and Jason Morrell. Chairman Hoff closed the public hearing.

Scott Decker moved to recommend to the Stark County Board of Commissioners the approval for the conditional use permit for a kennel on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres following staff recommendations for Jessica Anderson-Fricks and Jason Morrell.

Jay Elkin seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed conditional use based upon the following findings:

1. The location of the proposed project should not adversely impact the existing uses in the vicinity; and
2. The conditional use shall be limited through the inclusion of the following conditions:
  - a. **The Conditional Use Permit shall be limited to a kennel.**
  - b. **Development shall be in accordance with the application material received by Stark County dated May 8, 2018.**
  - c. **The maximum number of animals shall be limited to 10.**
  - d. **The maximum number of employees per shift shall be two (2).**
  - e. **Hours of operation for the kennel shall be 7 a.m. to 7 p.m.**
  - f. **No animals shall be allowed outside from 7 p.m. to 7 a.m.**

- g. All runs and kennel areas shall be fenced with solid wood or chain-link fencing, or with a stone or masonry wall. The fence or wall shall be of quality material and be neat in appearance.**
- h. Humane Society of America (HSUS) and American Society of Prevention of Cruelty to Animals (ASPCA) guidelines shall be used, at a minimum, for the flooring, walls between kennels, drainage, heating and cooling, cage sizes and runs.**
- i. The kennel shall not generate adverse off-site noise or odor impacts.**
- j. Any proposed change of the conditional use permit, including location of the facility, shall require a hearing before the Stark County Planning and Zoning Board and approval from the Stark County Commission.**
- k. The permit may be revoked by the County Commission anytime the applicant is in non-compliance with any of the conditions set by the Planning and Zoning Board or the County Commission for the issuance of the permit.**
- l. Development and operation of the kennel shall be performed in accordance with all applicable County, State and Federal rules and regulations.**

The proposed conditional use is consistent with the following objectives of The Stark County Comprehensive Plan:

- LAND USE-Avoid conflict between land uses; and**
- ECONOMIC DEVELOPMENT-Strive for a well-rounded, stable economic foundation for the county.**

Jay Elkin moved to adjourn.